

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ni *et al.*

Appl. No.: 09/042,583

Filed: March 17, 1998

For: **Death Domain Containing Receptor 5**

Confirmation No.: 5224

Art Unit: 1646

Examiner: Kaufman, Claire M.

Atty. Docket: 1488.1310002/EKS/EJH

**Seventh Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Seventh Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Sixth Supplemental Information Disclosure Statement filed on May 30, 2003, in connection with the above-captioned application. A copy of each document is also provided.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Patent Application No. 09/565,009, Ni *et al.*, filed May 4, 2000 and submitted herewith as document **AS26**;

U.S. Patent Application No. 10/005,842, Ni *et al.*, filed December 7, 2001, and cited as document **AT26**. This Patent Application is now U.S. Published Patent Application No. 2002/0098550, published July 25, 2002, submitted herewith as document **AD1**;

U.S. Patent Application No. 10/648,825, Ni *et al.*, filed August 27, 2003 and submitted herewith as document **AR27**; and

U.S. Patent Application No. 10/774,622, Ni *et al.*, filed February 10, 2004 and submitted herewith as document **AS27**.

The Examiner's attention is also directed to the following recently issued U.S. Patent directed to related subject matter: U.S. Patent No. 6,743,625 issued June 1, 2004, and submitted herewith as document **AE1**.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to these applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not

exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

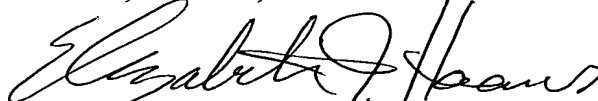
This Seventh Supplemental Information Disclosure Statement is being filed concurrently with a Request for Continued Examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

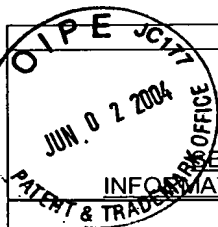
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Attorney for Applicants  
Registration No. 42,613

Date: June 2, 2004

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FORM PTO-1449

ATTY. DOCKET NO.  
1488.1310002/EKS/EJHAPPLICATION NO.  
09/042,583FIRST NAMED INVENTOR  
Ni *et al.*FILING DATE  
March 17, 1998ART UNIT  
1646SEVENTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
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	AD1	2002/0098550	07/25/2002	Ni <i>et al.</i>			12/07/2001
	AE1	6,743,625	06/01/2004	Ni <i>et al.</i>			06/06/2001
	AF1	6,461,823	10/08/2002	Ni <i>et al.</i>			11/24/1999
	AG1	6,342,363	01/29/2002	Ni <i>et al.</i>			01/27/1998
	AH1	6,433,147	08/13/2002	Ni <i>et al.</i>			05/05/2000
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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN2	WO 98/41629 A2 & A3	09/24/1998	WIPO			Yes No
	AO2	EP 0 870 827 A2 & A3	10/14/1998	Europe			Yes No
	AP2	EP 1 181 319 A0	12/07/2000	Europe			Yes No

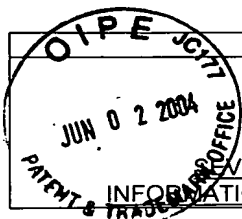
## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>9</u>	Allison, J., <i>et al.</i> , "Transgenic expression of CD95 ligand on islet $\beta$ cells induces a granulocytic infiltration but does not confer immune privilege upon islet allografts," <i>Proc. Natl. Acad. Sci. USA</i> 94:3943-3947, National Academy Press (April 1997)
	AS	<u>9</u>	Allison, J., and Strasser, A., "Mechanisms of $\beta$ cell death in diabetes: A minor role for CD95," <i>Proc. Natl. Acad. Sci. USA</i> 95:13818-13822, National Academy Press (November 1998)
	AT	<u>9</u>	Bodmer, J.-L., <i>et al.</i> , "TRAMP, a Novel Apoptosis-Mediating Receptor with Sequence Homology to Tumor Necrosis Factor Receptor 1 and Fas(Apo-1/CD95)," <i>Immunity</i> 6:79-88, Cell Press (January 1997)

EXAMINER

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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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	AL3	EP 1 192 185 A0	12/14/2000	Europe			Yes No
	AM3	EP 1 287 035 A1	03/05/2003	Europe			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

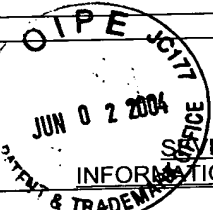
## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>10</u>	Boldin, M.P., <i>et al.</i> , "A Novel Protein That Interacts with the Death Domain of Fas/APO1 Contains a Sequence Motif Related to the Death Domain," <i>J. Biol. Chem.</i> 270:7795-7798, American Society for Biochemistry and Molecular Biology, Inc. (1995)
	AS	<u>10</u>	Chicheportiche, Y., <i>et al.</i> , "TWEAK, a New Secreted Ligand in the Tumor Necrosis Factor Family That Weakly Induces Apoptosis," <i>J. Biol. Chem.</i> 272:32401-32410, American Society for Biochemistry and Molecular Biology, Inc. (December 1997)
	AT	<u>10</u>	Chinnaiyan, A.M., <i>et al.</i> , "FADD, a Novel Death Domain-Containing Protein, Interacts with the Death Domain of Fas and Initiates Apoptosis," <i>Cell</i> 81:505-512, Cell Press (1995)

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	FORM PTO-1449		ATTY. DOCKET NO. 1488.1310002/EKS/EJH	APPLICATION NO. 09/042,583
	FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		FIRST NAMED INVENTOR Ni <i>et al.</i>	
			FILING DATE March 17, 1998	ART UNIT 1646

## U.S. PATENT DOCUMENTS

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	AN						Yes
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	AO						Yes
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	AP						Yes
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	11	Clerici, M., <i>et al.</i> , "Type 1 and Type 2 Cytokines in HIV Infection - A Possible Role in Apoptosis and Disease Progression," <i>Ann. Med.</i> 29:185-188, Finnish Medical Society DUODECIM (June 1997)
	AS	11	Degli-Esposti, M.A., <i>et al.</i> , "Cloning and Characterization of TRAIL-R3, a Novel Member of the Emerging TRAIL Receptor Family," <i>J. Exp. Med.</i> 186:1165-11170, Rockefeller University Press (October 1997)
	AT	11	Degli-Esposti, M.A., <i>et al.</i> , "The Novel Receptor TRAIL-R4 Induces NF- $\kappa$ B and Protects against TRAIL-Mediated Apoptosis, yet Retains an Incomplete Death Domain," <i>Immunity</i> 7:813-820, Cell Press (December 1997)

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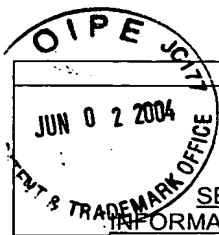
## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>12</u>	Duan, H. and Dixit, V.M., "RAIDD is a new 'death' adaptor molecule," <i>Nature</i> 385:86-89, Macmillan Publishers, Ltd. (January 1997)
	AS	<u>12</u>	Frankfurt, O.S., <i>et al.</i> , "Protection from Apoptotic Cell Death by Interleukin-4 is Increased in Previously Treated Chronic Lymphocytic Leukemia Patients," <i>Leuk. Res.</i> 21:9-16, Elsevier Science, Ltd (January 1997)
	AT	<u>12</u>	Gooch, J.L., <i>et al.</i> , "Interleukin 4 Inhibits Growth and Induces Apoptosis in Human Breast Cancer Cells," <i>Cancer Res.</i> 58:4199-4205, American Association for Cancer Research (September 1998)

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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	13	Grell, M., <i>et al.</i> , "Induction of cell death by tumour necrosis factor (TNF) receptor 2, CD40 and CD30: a role for TNF-R1 activation by endogenous membrane-anchored TNF," <i>EMBO J.</i> 18:3034-3043, Oxford University Press (June 1999)
	AS	13	Hardiman, G., <i>et al.</i> , "Genetic Structure and Chromosomal Mapping of MyD88," <i>Genomics</i> 45:332-339, Academic Press (October 1997)
	AT	13	Hildeman, D.A., <i>et al.</i> , "Activated T Cell Death In Vivo Mediated by Proapoptotic Bcl-2 Family Member Bim," <i>Immunity</i> 16:759-767, Cell Press (June 2002)

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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>14</u>	Hill, M.E., <i>et al.</i> , "Prognostic Significance of BCL-2 Expression and <i>bcl-2</i> Major Breakpoint Region Rearrangement in Diffuse Large Cell Non-Hodgkin's Lymphoma: A British National Lymphoma Investigation Study," <i>Blood</i> 88:1046-105, American Society of Hematology (August 1996)
	AS	<u>14</u>	Hofmann, K., and Bucher, P., "The CARD domain: a new apoptotic signalling motif," <i>Trends Biochem. Sci.</i> 22:155-156, Elsevier Science, Ltd. (May 1997)
	AT	<u>14</u>	Horigome, A., <i>et al.</i> , "Tacrolimus-induced apoptosis and its prevention by interleukins in mitogen-activated human peripheral-blood mononuclear cells," <i>Immunopharmacology</i> 39:21-30, Elsevier Science B.V. (March 1998)

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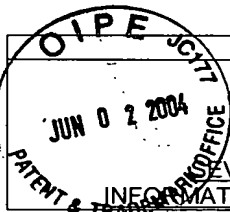
## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>15</u>	Hsu, H., <i>et al.</i> , "TRADD-TRAF2 and TRADD-FADD Interactions Define Two Distinct TNF Receptor 1 Signal Transduction Pathways," <i>Cell</i> 84:299-308, Cell Press (January 1996)
	AS	<u>15</u>	Huang, D.C.S., <i>et al.</i> , "Activation of Fas by FasL induces apoptosis by a mechanism that cannot be blocked by Bcl-2 or Bcl-x <sub>L</sub> ," <i>Proc. Natl. Acad. Sci. USA</i> 96:14871-14876, National Academy Press (December 1999)
	AT	<u>15</u>	Huang, D.C.S., <i>et al.</i> , "Bcl-2, Bcl-x <sub>L</sub> and adenovirus protein E1B19kD are functionally equivalent in their ability to inhibit cell death," <i>Oncogene</i> 14:405-414, Stockton Press (January 1997)

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1646EIGHTH SUPPLEMENTAL  
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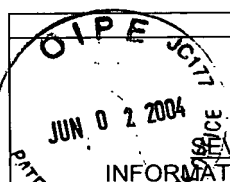
## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	16	Irmmler, M., <i>et al.</i> , "Direct physical interaction between the <i>Caenorhabditis elegans</i> 'death proteins' CED-3 and CED-4," <i>FEBS Lett.</i> 406:189-190, Elsevier Science B.V. (April 1997)
	AS	16	Irmmler, M., <i>et al.</i> , "Inhibition of death receptor signals by cellular FLIP," <i>Nature</i> 388:190-195, Macmillan Publishers, Ltd. (July 1997)
	AT	16	Karin, M., and Lin, A., "NF- $\kappa$ B at the crossroads of life and death," <i>Nat. Immunol.</i> 3:221-227, Nature Publishing Group (March 2002)

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### OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>17</u>	Kelliher, M.A., <i>et al.</i> , "The Death Domain Kinase RIP Mediates the TNF-Induced NF-κB Signal," <i>Immunity</i> 8:297-303, Cell Press (March 1998)
	AS	<u>17</u>	Lindner, H., <i>et al.</i> , "Peripheral Blood Mononuclear Cells Induce Programmed Cell Death in Human Endothelial Cells and May Prevent Repair: Role of Cytokines," <i>Blood</i> 89:1931-1938, American Society of Hematology (March 1997)
	AT	<u>17</u>	Lotem, J., and Sachs, L., "Hematopoietic Cytokines Inhibit Apoptosis Induced by Transforming Growth Factor β1 and Cancer Chemotherapy Compounds in Myeloid Leukemic Cells," <i>Blood</i> 80:1750-1757, American Society of Hematology (1992)

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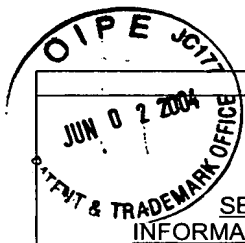
## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	18	Lotem, J., and Sachs, L., "Interferon- $\gamma$ inhibits apoptosis induced by wild-type p53, cytotoxic anti-cancer agents and viability factor deprivation in myeloid cells," <i>Leukemia</i> 9:685-692, Stockton Press (1995)
	AS	18	MacFarlane, M., <i>et al.</i> , "Identification and Molecular Cloning of Two Novel Receptors for the Cytotoxic Ligand TRAIL," <i>J. Biol. Chem.</i> 272:25417-25420, American Society for Biochemistry and Molecular Biology, Inc. (October 1997)
	AT	18	Muzio, M., <i>et al.</i> , "FLICE, a Novel FADD-Homologous ICE/CED-3-like Protease, Is Recruited to the CD95 (Fas/APO-1) Death-Inducing Signaling Complex," <i>Cell</i> 85:817-827, Cell Press (June 1996)

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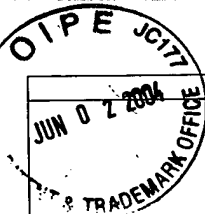
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**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	<u>19</u>	Muzio, M., <i>et al.</i> , "IRAK (Pelle) Family Member IRAK-2 and MyD88 as Proximal Mediators of IL-1 Signaling," <i>Science</i> 278:1612-1615, American Association for the Advancement of Science (November 1997)
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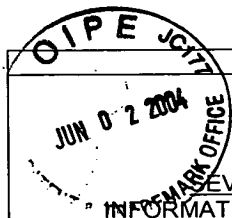
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	AS	<u>20</u>	Newton, K., and Strasser, A., "Ionizing Radiation and Chemotherapeutic Drugs Induce Apoptosis in Lymphocytes in the Absence of Fas or FACC/MORT1 Signaling: Implications for Cancer Therapy," <i>J. Exp. Med.</i> 191:195-200, Rockefeller University Press (January 2000)
	AT	<u>20</u>	O'Conner, L., and Strasser, A., "Fas, p53, and Apoptosis," <i>Science</i> 284:1431b, American Association for the Advancement of Science (May 1999)

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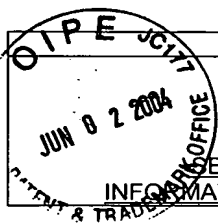
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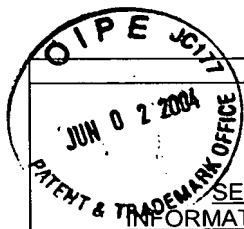
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	AR	22	Screaton, G.R., <i>et al.</i> , "LARD: A new lymphoid-specific death domain containing receptor regulated by alternative pre-mRNA splicing," <i>Proc. Natl. Acad. Sci. USA</i> 94:4615-4619, National Academy Press (April 1997)
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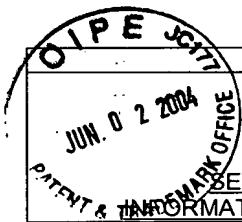
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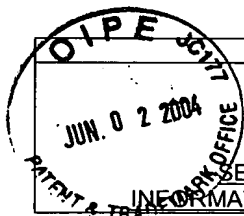
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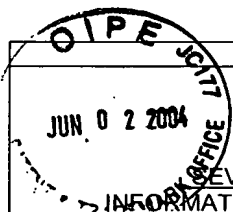
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	AR	<u>25</u>	Wong, B.B., <i>et al.</i> , "TRANCE Is a Novel Ligand of the Tumor Necrosis Factor Receptor Family That Activates c-Jun N-terminal Kinase in T Cells," <i>J. Biol. Chem.</i> 272:25190-25194, American Society for Biochemistry and Molecular Biology, Inc. (October 1997)
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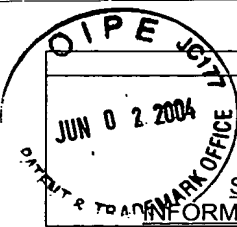
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	AR	26	European Search Report for European Application No. EP 00 93 0329 mailed on February 6, 2004, Munich, Germany
	AS	26	Co-Pending U.S. Patent Application No. 09/565,009, Ni <i>et al.</i> , filed May 4, 2000 (NOT PUBLISHED)
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	AR	<u>27</u>	Co-Pending U.S. Patent Application No. 10/648,825, Ni <i>et al.</i> , filed August 27, 2003 (NOT PUBLISHED)
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